

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34790 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- WARISNAGAR District- Samastipur

Md. Manir Alam Son of Late Abdul Ahad Resident of Village- Sukhpur, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Warisnagar P.S. Case No. 222 of 2025 dated 23.08.2025 registered for the offences punishable under Sections 127(2), 115(2), 118(1), 352, 351(2) and 3(5) of B.N.S.

3. As per the allegation, the informant was assaulted due to the fact that he had made the video of his second wife which went viral. When the informant pleaded ignorance, he was forcibly taken in a car to the house of Md. Chunne @ Netaji and was assaulted brutally with pistol and lathi, and a pistol was put on his forehead and a video to this effect was made. The informant was forced to admit that he had taken money and made the video viral. In the meantime, there was “hulla” in the



village, and when the father of the informant came searching for him, the father of the informant was forced to pay Rs. 1 lakh and was also forced to sign on a plain paper.

4. Learned counsel for the petitioner has submitted that initially the offences which were levelled in the present case were bailable, but in spite of that the police apprehended co-accused namely Rajiv Kumar and Gas Ali and produced them in court and the learned Judicial Magistrate 1st Class, Samastipur vide order dated 23.4.2026 granted them bail showing that all the offences are bailable and no notice was given to the accused under section 35(3) of the B.N.S.S., nor was any check list made available in the court. Consequently, in view of the decision of the Hon'ble Supreme Court in the case of Satender Kumar Antil vs. CBI as reported in 2025 SCC OnLine SC 1578, the guideline laid down by the Hon'ble Supreme Court were not followed and accordingly they were released on bail and a report was sent to the Superintendent of Police, Samastipur for taking necessary action. It has further been submitted that thereafter, on 24.04.2026, the Investigating Officer filed application for adding Section 140(1) and 308(2) of the B.N.S. in the present case, which was allowed by the learned Judicial Magistrate-1st Class, Samastipur vide order dated 24.04.2026. It has further



been submitted that there is delay of four days in lodging the F.I.R. It has further been submitted that the injury report, which has been annexed as Annexure-3 to the present anticipatory bail application, goes to show that the informant was medically examined on 21.08.2025 although, the occurrence took place on 19.08.2025. It has further been submitted that the informant has received injuries in some other manner best known to him and, taking advantage of that, he has lodged the present false case against the petitioner. It has further been submitted that although the petitioner is accused in other cases, he is on bail in those cases and they are not of similar nature. It has further been submitted that out of those cases, two cases have been lodged by the first wife of the petitioner and two others by the Panchayat Secretary. It has further been submitted that the treating doctor has opined the injury to be simple, caused by hard and blunt object, and the injury report does not corroborate the allegations levelled against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Warisnagar P.S. Case No. 222 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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